

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:20CR403 HEA
)	
LEDRA A CRAIG,)	
)	
Defendants.)	

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on Defendant’s “Motion asking for a Preliminary Ruling on My Motion for New Trial, and Asking to be Appointed Counsel to Represent Me in Such Motion.” [Doc. No. 239], The Motion is denied as moot. The Eighth Circuit Court of Appeals, in its Opinion affirming Defendant’s Conviction and Sentence, found Defendant’s Motion as implicitly denied. *United States v. Craig*, 94 F.4th 752, 755, n. 4 (8th Cir. 2024).

We note that while Craig filed a motion for a new trial, we found no order from the district court ruling on the motion. Nonetheless, because the district court sentenced Craig and therefore issued a final judgment inconsistent with a grant of a new trial, we consider this an implicit denial of the motion and proceed to the merits of Craig's argument on appeal. See *United States v. Claxton*, 766 F.3d 280, 291 (3d Cir. 2014) (considering an appeal's merits despite the district court's failure to conditionally rule on defendant's new trial motion because the entry of judgment and commitment order constituted an implicit denial of the motion); *United States v. Jasso*, 634 F.3d 305, 307 n.2 (5th Cir. 2011) (finding a district court's entry of a final judgment as an implicit denial of a motion for reconsideration); *Norman v. Apache Corp.*, 19 F.3d 1017, 1021 (5th Cir. 1994) (“The denial of a motion


by the district court, although not formally expressed, may be implied by the entry of a final judgment or of an order inconsistent with the granting of the relief sought by the motion.”).

Id.

Accordingly,

IT IS HEREBY ORDERED that Defendant’s “Motion asking for a Preliminary Ruling on My Motion for New Trial, and Asking to be Appointed Counsel to Represent Me in Such Motion.” [Doc. No. 239], is **denied as moot**.

Dated this 15th day of May, 2024.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE